

JK

**State of Utah****Department of
Natural Resources**

MICHAEL R. STYLER
Executive Director

**Division of
Oil, Gas & Mining**

JOHN R. BAZA
Division Director

JON M. HUNTSMAN, JR.
Governor

GARY R. HERBERT
Lieutenant Governor

March 1, 2007

Matthew Seddon Ph.D., State Historic Preservation Officer
DCED - State History Division
300 Rio Grande
Salt Lake City, Utah 84111

Subject: Decision Memo Requesting State Historic Preservation Office (SHPO)
Concurrence on a No Adverse Effect Determination, Dugout Canyon 40
Acre Extension, Canyon Fuel Company, LLC, Dugout Canyon Mine,
C/007/0039, Task ID #2743, Outgoing File

Dear Dr. Seddon:

The Division of Oil, Gas and Mining is requesting your concurrence with our Dugout Canyon Mine 40 Acre Extension effect determination. The enclosed map (Attachment 1) illustrates that the proposed 40-acre extension of the Dugout Canyon Mine is located in Carbon County, Utah (7.5 Minute USGS Quadrangle map is Mt. Bartles). The proposed extension is located in Township 13 South, Range 13 East, NW1/4 NW1/4, Section 21 (SLBM). The Bureau of Land Management is the subsurface owner and a private title-holder is the surface owner. The proposed extension would not include any surface disturbance for facilities.

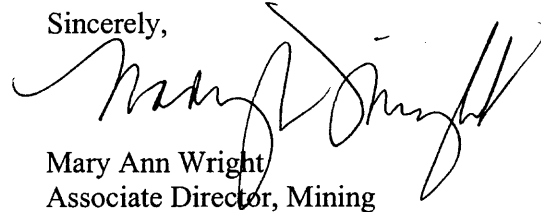
The Division reviewed reports of cultural inventories previously conducted for other projects, but included the proposed extension area (Senulis 2005 and 2006, Attachment 2). The results show that there are historic sites, but all were observed outside the proposed extension area. The entire proposed area is subject to subsidence, although the BLM and Division consider that the impact may be minimal because of the approximate 2,500-3000 feet of cover.

The Division considers that the proposed Dugout Canyon Mine 40 Extension would have "no adverse effect" on cultural resources because there have been no sites observed, there is a low potential of unknown sites that could be observed, the historic peoples did not prefer steep terrain such as the terrain within the proposed extension (Senulis 2004 commenting on an area adjacent to the proposed 40 acres), and there is a low potential for impacts caused by subsidence. The Division requests your concurrence with our effect determination that the proposed Dugout Canyon Mine 40 Extension would have "no adverse effect" on cultural resources.

Page 2
Matthew Seddon
March 1, 2007

If appropriate, please sign the concurrence statement below, and return it to me. If you have any questions or concerns, please contact us - Mary Ann Wright (801) 538-5306, Wayne Hedberg (801) 538-5286, or Jerriann Ernsten (801) 538-5214.

Sincerely,

A handwritten signature in black ink, appearing to read "Mary Ann Wright", is written over the printed name and title.

Mary Ann Wright
Associate Director, Mining

an
Enclosure
O:\007039.DUG\FINAL\LetSHPODugO40Acres2007.doc

Concurrence: I concur with the determination made by the Utah Division of Oil, Gas and Mining that the proposed Dugout Canyon Mine 40 Acre Project would have no adverse effect on historic properties.

_____ Date _____

Wilson Martin

Utah State Historic Preservation Officer

Attachment 1:

Map of area showing the proposed extension area (attached).

Attachment 2:

Senulis, J.A. (2005) An Intensive Cultural Resource Survey And Inventory Of The Seven Dugout Canyon Mine Drill Holes And Access Roads in Pace Canyon.

Senulis, J.A. (2006) An Intensive Cultural Resource Survey And Inventory Of Three Proposed Drill Holes and Staging Area In The Pace Canyon.